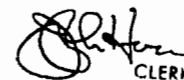


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

MAR 31 2015

  
CLERK

\*\*\*\*\*

TRAVIS EMORY CORRELL,

Plaintiff,

vs.

CIV. 14-4168

ORDER

THE UNITED STATES OF AMERICA;  
ERIC HOLDER, Attorney General;  
CHARLES E. SAMUELS, JR.,  
Director, Federal Bureau of Prisons;  
PAUL M. LAIRD, Regional Director,  
Federal Bureau of Prisons; and  
W. SCOTT WILLIS, Warden,  
Federal Prison Camp Yankton,

Defendants.

\*\*\*\*\*

Plaintiff Travis Emory Correll, an inmate at the Yankton Federal Prisons Camp, has filed a civil rights lawsuit pursuant to 42 U.S.C. § 1983. The Magistrate Judge issued a Report and Recommendation recommending that the Complaint be dismissed without prejudice for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1). Plaintiff filed objections to the Report and Recommendation. Plaintiff well presented his claims. Unfortunately for Plaintiff, the law is well settled against Plaintiff on his claims and his objections are without merit. The Court does understand that Mr. Correll never desired to be in the RDAP program. Instead, he requests some early release program that would provide a sentence benefit similar to the RDAP program. It might be good public policy to have the sentencing reduction inducements in sentencing policy but there is no constitutional mandate to do so and the courts cannot fashion such a policy.

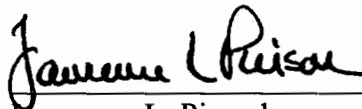
After conducting an independent review of the record,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation, Doc. 6, is ADOPTED in part and denied in part by the Court in that the action is dismissed with prejudice, and Plaintiff's Objections to the Report and Recommendation, Doc. 7, are DENIED.
2. That Plaintiff's Complaint, Doc. 1, is dismissed with prejudice for failure to state a claim upon which relief can be granted.
3. That Plaintiff's Motion to Appoint Counsel, Doc. 8, is denied. The Plaintiff has well represented his claims in the papers he has filed as a pro se litigant. The claims are clearly presented but the law is settled and contrary to Plaintiff's claims.

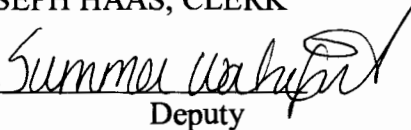
Dated this 31st day of March, 2015.

BY THE COURT:



Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

By:   
Deputy